

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CLARA S. MITCHELL,

Plaintiff,

v.

DEBRA A. SWEET, *et al.*,

Defendants.

)
)
)
)
)
)
)
)
)
)

CASE NO. 3:05-CV-1210-WKW

ORDER

The parties filed a Joint Motion of Dismissal (Doc. #42) to dismiss claims against third-party defendant Michael O. Leavitt, Secretary of the Department of Health and Human Services. Pursuant to Federal Rule of Civil Procedure 41(a)(1), it is hereby ORDERED that

1. The motion to dismiss (Doc #42) is GRANTED.
2. All claims against Third-Party Defendant Michael O. Leavitt, Secretary of the Department of Health and Human Services are DISMISSED.
3. Third-Party Defendant Michael O. Leavitt, Secretary of the Department of Health and Human Services is DISMISSED as a defendant in this matter.

DONE this 25th day of September, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE